

THE HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Case No. 2:21-cv-00563-JNW

IN RE VALVE ANTITRUST LITIGATION

**[PROPOSED] ORDER AMENDING
CLASS PERIOD, GRANTING
PUBLISHER CLASS PLAINTIFFS'
MOTION FOR ORDER APPROVING
NOTICE OF CLASS CERTIFICATION,
AND ENTRY OF NOTICE SCHEDULE**

This Document Relates to:

Publisher Plaintiffs

This Court, having reviewed and considered Publisher Plaintiffs' Motion for Approval of Notice of Class Certification and Entry of Notice Schedule ("Motion"), and finding good cause, hereby grants the Motion and orders as follows:

1. The Court hereby amends the class definition and period:

All persons or entities who, directly or through an agent, paid a commission to Valve in connection with the sale or use of a game on the Steam platform between January 28, 2017 and November 25, 2024 (the "Class Period"), and where either (1) the person or entity was based in the United States and its territories or (2) the game was purchased or acquired by a United States-based consumer during the Class Period. Excluded from the Class are

1 (a) Defendant, its parents, subsidiaries, affiliate entities, and employees, and

2 (b) the Court and its personnel.

3 2. The Court having previously granted Publisher Plaintiffs' motion for class
4 certification, ECF No. 392 at 26–27, hereby directs notice to be distributed to the class members
5 pursuant to Federal Rule of Civil Procedure 23(c)(2).

6 3. The proposed notice plan and schedule set forth in the Motion and the supporting
7 declarations complies with Rule 23(c)(2)(B) and due process as it constitutes the best notice that
8 is practicable under the circumstances. It includes individual notice by email and mail to class
9 members whose email and mailing addresses can be identified through reasonable effort. It also
10 includes a dedicated class website and banner advertisement posted on multiple websites likely
11 frequented by class members, as reasonable attempts to reach class members who may not receive
12 the mail and email notice.

13 4. The proposed notice documents attached to the motion and their manner of
14 transmission comply with Rule 23(c)(2)(B) and due process because they are reasonably calculated
15 to adequately inform class members of “(i) the nature of the action; (ii) the definition of the class
16 certified; (iii) the class claims, issues, or defenses; (iv) that a class member may enter an
17 appearance through an attorney if the member so desires; (v) that the court will exclude from the
18 class any member who requests exclusion; (vi) the time and manner for requesting exclusion; and
19 (vii) the binding effect of a class judgment on members under Rule 23(c)(3).” Fed. R. Civ. P.
20 23(c)(2)(B). Publisher Plaintiffs' Co-Lead Class Counsel may make non-substantive changes to
21 the notice documents, such as typographical errors, without leave of the Court.

22 5. The Court hereby sets the below schedule for the dissemination of notice to the
23 class and opt-out deadline:

Event	Date
Valve to Provide Notice Administrator with the Pertinent Contact Information for All Class Members	_____, 2025, 14 days after issuance of the Order approving the Certification Notice Plan
Publisher Plaintiffs to Provide Notice Administrator and Valve with Class Notice List	_____, 2025, 44 days after issuance of the Order approving the Certification Notice Plan
Notice Date (direct notice mailed/emailed; commencement of social media/internet notice; activate case website)	_____, 2025, 74 days after issuance of the Order approving the Certification Notice Plan
Opt-Out Deadline	_____, 2025, 134 days after issuance of the Order approving the Certification Notice Plan
Publisher Plaintiffs to File with the Court a List of All Persons and Entities Who Timely Requested Exclusion from the Class	_____, 2025, 148 days after issuance of the Order approving the Certification Notice Plan

6. No ruling on summary judgment shall be issued until after the opt-out period has concluded.

IT IS SO ORDERED

Dated this ____ day of _____, 2025

JAMAL N. WHITEHEAD
UNITED STATES DISTRICT JUDGE

Presented by:

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